

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Brian M. Thomas, *Owner of Your Dollar Sto’ LLC*,

Plaintiff,

v.

USDA Food and Nutrition Service,

Defendant.

C/A No. 3:25-cv-02889-SAL

ORDER

Brian M. Thomas (“Plaintiff”), proceeding pro se, filed this complaint seeking judicial review under the Food Snap Act, 7 U.S.C. § 2023(a) against the USDA Food and Nutrition Service. *See* ECF No. 1. Pending before this court is a Report and Recommendation (“the Report”) by Magistrate Judge Paige J. Gossett, recommending the complaint be dismissed for failure to comply with a court order and failure to prosecute. [ECF No. 29.] Attached to the Report was a notice advising Plaintiff of the right to file objections to the Report. *Id.* at 3. Plaintiff did not file objections to the Report, and the time for doing so has lapsed.

The magistrate judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with this court. *See Mathews v. Weber*, 423 U.S. 261, 270–71 (1976). The court is charged with making a de novo determination of only those portions of the Report that have been specifically objected to, and the court may accept, reject, or modify the Report, in whole or in part. 28 U.S.C. § 636(b)(1). In the absence of objections, the court is not required to provide an explanation for adopting the Report and must “only satisfy itself that there is no clear error on the face of the record in order to

accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (citing Fed. R. Civ. P. 72 advisory committee’s note).

CONCLUSION

After a thorough review of the Report, the applicable law, and the record of this case in accordance with the above standard, the court finds no clear error, adopts the Report, and incorporates the Report by reference herein. Accordingly, Plaintiff’s case is **DISMISSED without prejudice** pursuant to Fed. R. Civ. P. 41(b) for failure to comply with a court order and failure to prosecute.

IT IS SO ORDERED.

September 16, 2025
Columbia, South Carolina


Sherri A. Lydon
United States District Judge